

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF THE	§
PETITION OF DAVID S. BENSON	§ No. 652, 2011
FOR A WRIT OF HABEAS	§
CORPUS	§

Submitted: December 23, 2011

Decided: January 3, 2012

**ORDER**

This 3<sup>rd</sup> day of January 2012, it appears to the Court that, on December 2, 2011, the Clerk issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) due to the Court's lack of jurisdiction to issue a writ of habeas corpus.<sup>1</sup> The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ Henry duPont Ridgely  
Justice

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<sup>1</sup> Del. Const. art. IV, §11(5).